

**REMARKS**

Claims 2, 4-5, 7, and 9-12 remain in this application. Claim 1 has been cancelled.

Claim 2, as amended, calls for a utility knife for glaziers and sheet rock users, comprising, (i) a reversible, detachable blade having a sharp edge and a plurality of anchoring holes; (ii) a two-piece handle for supporting the blade in a transversely angulated position, said handle comprising a one-piece left side member and a one-piece right side member, wherein said left side member is removably attached to said right side member in order to create said handle, said handle including a gripping portion and a blade supporting portion; (iii) locating means disposed within said blade supporting portion of said handle for capturing said knife blade; (iv) channel means disposed within said blade supporting portion of said handle for containing and supporting said blade in a vertical plane; (v) clamping means for clamping said left and right side members and supporting said knife blade in a horizontal plane; and (vi) blade replacement means for exposing a fresh edge of said blade, replacing said blade with a new blade, and rotating said blade by 180 degrees to change handedness of said utility knife. The amendments to claim 2 are clearly supported by page 13, line 21 to page 14, line 15; page 17, lines 2-12; and Figs. 1-5 of the specification, as originally filed. Accordingly, no new matter has been added.

Applicants' invention provides a utility knife for glaziers and sheet rock workers having a two-part handle. The handle clamps a detachable reversible knife blade at a transverse angulated position with respect thereto. Vertical cuts can be made in tight

corners without applying excessive force. The transversely angulated knife blade affords access permitting vertical cuts in tight corners. During cutting the user's hands are displaced from the cutting line, and kept from being inline with the cutting blades, thereby preventing injury.

### **35 USC §102**

Claims 2, 4-5, 7, and 9-12 were rejected under 35 USC §102(b) as being anticipated by Burchell (USP 6,321,455).

Burchell discloses a windshield remover knife. The knife is principally comprised of a straight, elongated shaft having a pivotal neck portion securing a cutting blade for cutting through the adhesive, elastomeric bond holding the windshield in place. When the shaft is held by an operator in a horizontal position, the neck portion can be secured in the same identical plane as the shaft with the cutting edge of the blade facing downward. In this horizontal position, the neck portion can also be pivoted and secured in pivotal alignment to the left or right of this plane of the shaft at any angle up to 90 degrees. In this manner the neck portion of the knife can be configured to even extreme windshield curvatures while maintaining the shaft portion in a comfortable position for rapid and efficient cutting of the adhesive bond

Regarding claim 2, the Examiner has argued that Burchell discloses the same invention, having each of the elements of previously presented claim 2. Applicant respectfully submits that in light of the amendments to claim 2, present claim 2 is

patentable over Burchell. Claim 2, as amended, calls for a utility knife for glaziers and sheet rock users, comprising, (i) a reversible, detachable blade having a sharp edge and a plurality of anchoring holes; (ii) a two-piece handle for supporting the blade in a transversely angulated position, said handle comprising a one-piece left side member and a one-piece right side member, wherein said left side member is removably attached to said right side member in order to create said handle, said handle including a gripping portion and a blade supporting portion; (iii) locating means disposed within said blade supporting portion of said handle for capturing said knife blade; (iv) channel means disposed within said blade supporting portion of said handle for containing and supporting said blade in a vertical plane; (v) clamping means for clamping said left and right side members and supporting said knife blade in a horizontal plane; and (vi) blade replacement means for exposing a fresh edge of said blade, replacing said blade with a new blade, and rotating said blade by 180 degrees to change handedness of said utility knife.

In light of the amendments to claim 2, applicant respectfully submits that Burchell does not disclose or suggest each element recited therein. Namely, Burchell does not disclose or suggest a utility knife comprising a two-piece handle for supporting the blade in a transversely angulated position, said handle comprising a one-piece left side member and a one-piece right side member, wherein said left side member is removably attached to said right side member in order to create said handle, said handle including a gripping portion and a blade supporting portion. Rather, Burchell discloses a knife comprising a two-piece handle that includes a shaft portion (12) pivottally connected to a neck portion

(48). See Burchell, col. 5, lines 10-37, wherein it states that "an operator can pivot the neck up to 20 degrees to the left or right". Therefore, Burchell does not disclose or suggest a two-piece handle that comprises a one-piece left side member and a one-piece right side member, wherein the left and right side members are clamped together to hold a knife blade. The Examiner argues that in Burchell items 48 (also 14) and 12 combined form the right side member; and that item 50 alone makes-up the left side member. Although item 50 of Burchell is indeed a one-piece member, it is clear that the right side member of Burchell is not a one-piece member because it consists of two separate items, 48 and 12, which are required to be pivotally connected.

Significantly, the construction of the knife handle of present claim 2 provides several important advantages over the knife handle disclosed by Burchell. One such advantage is that there is virtually no risk of injury to the user, which could otherwise result during use of a knife having a two-piece handle wherein the gripping portion is pivotally connected to the blade-supporting portion. In a two-piece handled knife of the type disclosed by Burchell, the pivoted connection would likely fail upon application of enough force thereagainst. The handle would suddenly bend during use, causing the user's hand to strike the surface near the knife blade with a fierce impact. Clearly, the knife handle called for by present claim 2 affords greater reliability and durability, and is much safer to use than any knife handle disclosed or suggested by Burchell.

Present claims 4-5, 7, and 9-12 depend from present claim 2, which is submitted to be patentable for the reasons stated hereinabove. Therefore, it is submitted that dependent claims 4-5, 7, and 9-12 are also patentable for these same reasons.

Accordingly, reconsideration of the rejection of claims 2, 4-5, 7, and 9-12 under 35 USC §102(b) as being anticipated by Burchell is respectfully requested.

**Conclusion**

In view of the amendments to the claims and the remarks set forth above, it is respectfully submitted that the present application is in allowable condition. Reconsideration of the Final Rejection, entry of this amendment, and allowance of claims 2, 4-5, 7, and 9-12, as amended, are earnestly solicited.

Respectfully submitted,  
Noel C. Cobb et al.

  
By \_\_\_\_\_  
Ernest D. Buff  
(Their Attorney)  
Reg. No. 25,833  
(908) 901-0220